REMARKS

For purposes of the appeal filed, entry of the above amendments to claims 1-3, 16 and 17 and acceptance of the six replacement sheets of drawings appended to this Amendment are in order in accordance with 37 CFR 1.116 since they reduce the issues remaining for appeal by obviating both the drawing objection and § 112 rejection made in the final Office Action. Furthermore, these actions raise no new issues requiring further consideration and/or search since the amendments to claim 16, as noted by the Examiner in his Advisory Action, merely add features already present in independent claim 1.

With regard to the objection to the drawings, the appended replacement sheets of drawings add descriptive labels to Figs. 1-3, 6a, 6b, and 7. As a result, this objection should now be withdrawn.

Likewise, claim 3 was objected to for failing to identify the scaling unit as being the "analog" scaling unit and with correction of this deficiency, this objection should be withdrawn.

Claims 2-6, 10 and 17 were rejected for indefiniteness under 35 U.S.C. § 112. The terminology "at least one active integrator" considered to render claims 2 & 3 indefinite has been removed from these claims. Furthermore, claim 17 has been conformed with claim 3, the problematic reference to the active integrator being deleted, and the indefiniteness related to the use of the article "the" instead of "an" relative to the "actuator" has been addressed. Thus, this rejection should be withdrawn as well.

Claim 16 has been rejected under 35 U.S.C. § 102 as being anticipated by the patent to Haynes. However, since this claim has been amended to conform with claim 1, with respect to which the rejection based on Haynes was withdrawn, the rejection of claim 16 should be withdrawn for the same reasons as resulted in the withdrawn of this rejection relative to claim 1.

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With respect to the prior art rejections, beyond the points noted in applicants' preceding response, which are incorporated by reference, these rejections the Examiner's comments that were contained in his Advisory Action of February 7th will be fully treated in applicants' Appeal Brief which will be filed shortly.

Additionally, relative to the Examiner's comments in his Advisory Action of February 7, 2005, the following is noted. The processor circuit (μP 50) is connected serially between the sensor 14 the end stage 28, 56, because, in contrast to what is mentioned by the Examiner, the "sensor detector circuit 16" cannot be compared with the analog end stage, but is part of the sensor (see [0002] of the description of the present patent application).

Claim 1 requires, that the analog end stage

a) be "connected downstream of the sensor," and

b) perform the function of "converting an output signal of the sensor into an **impressed** output current."

In the Roper reference, the output of the "sensor detector circuit 16" is not an **impressed** output current. Also from the meaning of the word "end stage," it should be clear, that an end stage is not close to the sensor of an electrical transducer but rather is at the output (end) of the transducer.

Additionally the "analog circuits 44" and "level shifts 48" – which the Examiner seems to compare with the analog measurement signal transmission path – is also connected serially between the sensor 14 and the processor circuit 50. Therefore, if the processor circuit 50 would be shifted in normal operation of the transducer temporarily into a sleep mode - which is not the case in the Roper reference - the analog circuits 44 and the digital circuits 46 could not be active when the processor circuit is in the sleep mode (see description of paragraph [0012]the patent application). Therefore, an analog measurement signal transmission path, called for by the amended claim 1, is **not** realized.

Claim 1 further requires, that the analog end stage and that the processor circuit be shiftable temporarily into a **sleep mode.**

Roper discloses a transducer, wherein the operation power for the digital system circuit is decreased whereas the operation power for the analog measurement circuit is

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increased. This principal of increasing the current of the analog measurement circuit, because of the reduced power consumption of the digital circuit, is described in greater detail in column 6, lines 21 to 43. Especially in lines 28-35 where it is stated:

> *More importantly, current consumption of the transmitter would be reduced to 2.3 mA, 0.8 mA below maximum current draw. The present* ***invention takes to 0.8 mA current and reapplies it to the analog circuits,*** *thereby improving resolution of the analog circuits. Consequently, instead of operating at 0.5 mA at 12 volts, the present invention would operate the analog circuits at 1.3 mA at 12 volts, consuming 15.6 mW of power.*

The operation power for the digital system circuit and the operation power for the analog measurement system are separated, so that they are not the same anymore. The power, which is not "needed" by the transmitter is additionally shifted to the analog circuits, but although the power for the transmitter is reducer, it is not shifted temporarily into a sleep mode.

Thus, although the object of the present invention and the object solved by Roper are very similar, the solution disclosed by Roper is totally different from the solution of the present invention.

Accordingly, it is submitted that the Examiner should reopen prosecution and allow this application rather than subject the applicants to the expenses and delays associated with pursuing the pending appeal in order to obtain reversal of the outstanding rejections.

Respectfully submitted,

By: _____
David S. Safran
Registration No. 27,997

NIXON PEABODY LLP
Suite 900
401 9th Street, N.W.
Washington D.C. 20004

Telephone: (703) 827-8094

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